

RESPONSE UNDER 37 C.F.R. § 1.111
U.S. APP. NO. 09/897,732

REMARKS

Summary Of The Office Action

Claims 1-9 are pending in the application.

Claims 1, 4 and 10 are rejected under 35 U.S.C. § 102(e) as being anticipated by Kim et al (USP 6,438,119).

Claims 6-9 are allowed.

Claims 2, 3 and 5 are objected to, but would be allowable if rewritten in independent form.

Analysis of the Rejection of Claims 1, 4 and 10

Applicant submits that Kim et al does not anticipate claim 1 at least because Kim et al does not disclose the claimed decoded data outputting part. In more detail, claim 1 recites, in part:

a decoded data outputting part for selectively outputting data that correspond to a frame length detected from the input data which has not been decoded by the preliminary decoding part, from among the preliminarily decoded data which are decoded by the preliminary decoding part according to each of the possible frame lengths.

(Underscoring added.)

In rejecting claim 1 (and claims 4 and 10, which recite similar limitations), under 35 U.S.C. § 102(e) as being anticipated by Kim et al, the Examiner states: "Note the frame length is detected by first and second frame detectors (741, 743) which detects the frame length from the input data (out of diversity combiner 713, thus before decoded) which has not been decoded by

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the preliminary decoding part.” Applicant respectfully disagrees that the frame length is detected by first and second frame detectors (741, 743).

In more detail, as shown in Fig. 13 of Kim et al, whether the first or second frame is selected, is determined by frame decision block 750 (Fig. 9) based on whether the true signal is input from the first CRC detector or from the second CRC detector (see steps 1315, 1317 and 1321, also 1325, 1329 and 1331. The frame detectors 741 and 743 do not detect the frame length. Applicant respectfully submits that Kim et al does not disclose “a decoded data outputting part for selectively outputting data that correspond to a frame length detected from the input data which has not been decoded by the preliminary decoding part”, as required by claim 1. At least for this reason, Applicant submits that claim 1, and analogously claims 4 and 10, are not anticipated by Kim et al.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

RESPONSE UNDER 37 C.F.R. § 1.111
U.S. APP. NO. 09/897,732

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

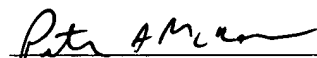
Respectfully submitted,

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